

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,  
Plaintiff.

V.

Heriberto REYES,  
Defendant.

Magistrate Case No. **'08 MJ 8301**

COMPLAINT FOR VIOLATION OF  
21 U.S.C. § 952 and 960  
Importation of a Controlled Substance  
(Felony)

The undersigned complainant being duly sworn states:

That on April 5, 2008, within the Southern District of California, defendant Heriberto REYES did knowingly and intentionally import approximately 32.90 kilograms (72.38 pounds) of cocaine, a Schedule II Controlled Substance, into the United States from a place outside thereof, in violation of Title 21, United States Code, Sections 952 and 960.

The complainant states that this complaint is based on the attached Statement of Facts incorporated herein by reference.

  
Special Agent Brandon Stiefer  
U.S. Immigration & Customs Enforcement

SWORN TO BEFORE ME AND SUBSCRIBED IN MY PRESENCE, THIS 7<sup>th</sup>,  
DAY OF APRIL 2008.

  
PETER C. LEWIS  
UNITED STATES MAGISTRATE JUDGE

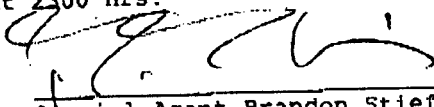
**PROBABLE CAUSE STATEMENT**

I, Special Agent Brandon Stiefer, declare under penalty of perjury, the following is true and correct:

On April 05, 2008, Heriberto REYES entered the United States through the Calexico, California East Port of Entry. REYES was the driver, and registered owner of a 2003 Toyota Camry, bearing CAUS license plate 4ZYD996. REYES was accompanied by his wife, and two (2) children. Customs and Border Protection Officers discovered fourteen (14) packages concealed within both rocker panels of the vehicle. One (1) package was probed and tested positive for cocaine. A total of 32.90 kilograms (72.38 pounds) of cocaine was discovered.

REYES was arrested in violation of Title 21 United States Code (USC) 952, Importation of a Controlled Substance. REYES acknowledged and waived his Miranda Rights. REYES admitted knowledge of smuggling narcotics, and stated that he was to be paid \$3000.00 US to drive the vehicle to Los Angeles. REYES stated that his family was unaware of the narcotics concealed within the vehicle. REYES was processed and booked into the Imperial County Jail to await his initial appearance before a U.S. Magistrate Judge. REYES' family was subsequently released per the on duty Assistant United States Attorney.

Executed on April 05, 2008 at 2300 hrs.

  
Special Agent Brandon Stiefer

On the basis of the facts presented in the probable cause statement consisting of 1 page, I find probable cause to believe that the defendant(s) named in this probable cause statement committed the offense on April 05, 2008 in violation of Title 21, United States Code, Section(s) 952 & 960.

  
United States Magistrate Judge

4-6-08 @ 5:33 a.m.  
Date/Time